

Amendment No. 1 to HB0344

Lamberth
Signature of Sponsor

AMEND Senate Bill No. 550

House Bill No. 344*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-504, is amended by adding the following as a new, appropriately designated subsection (t):

(1) The following information concerning the victim of a criminal offense who is a minor shall be treated as confidential and shall not be open for inspection by members of the public:

- (A) Name, unless waived pursuant to subdivision (t)(2);
- (B) Home, work, and electronic mail addresses;
- (C) Telephone numbers;
- (D) Social security number;
- (E) Any photographic or video depiction of the minor victim; and
- (F) Whether the defendant is related to the victim unless the relationship is an essential element of the offense.

(2) The custodial parent or legal guardian of the minor victim of an offense whose name is made confidential pursuant to subdivision (t)(1)(A) may petition a court of record to waive confidentiality and allow the minor victim's name to be obtained in the same manner as other public records. Upon finding good cause shown, the court shall enter the order granting the waiver.

(3) This subsection (t) shall not restrict the application of Rule 16 of the Tennessee Rules of Criminal Procedure in any court or the disclosure of information required of counsel by the state or federal constitution.

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(4) Nothing in this subsection (t) shall be used to limit or deny access to otherwise public information because a file, document, or data file contains some information made confidential by subdivision (t)(1); provided, that confidential information shall be redacted before any access is granted to a member of the public.

(5) Nothing in this subsection (t) shall be construed to limit access to records by law enforcement agencies, courts, or other governmental agencies performing official functions.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.